



Governing Council Meeting

Nov. 25, 2008 minutes

Members Present

Diana Bennett	President
Eileen O'Brien	Vice President
Lloyd Davis	Secretary
Rosemary Nurte	Treasurer

Bernard Gershenson	Language Arts
Teresa Morris	Library
Madeleine Murphy	Language Arts
Huy Tran	Math/Science
Ruth Turner	Student Services

Others Attending

Laura Demsetz	Math/Science
Stacey Grasso	Business/Technology

Dan Kaplan	AFT
Ed Remitz	<i>San Matean</i>

CALL TO ORDER The meeting was called to order at 2:20 pm. The agenda was approved, with discussion of the class size resolution and intellectual property rights moved to the start of new business, so visiting participants Laura Demsetz and Stacey Grasso could get to other meetings. Diana welcomed *San Matean* faculty advisor Ed Remitz. The minutes of Nov. 11, 2008, were approved.

FACULTY APPOINTMENTS Diana reported the Budget Planning Committee (BPC) has not decided about the number of faculty to hire for Fall 2009. This has been kept on the agenda so we will address it. The state expects a 10% increase in community college enrollment because of the economy, but we have a 2% cap on funded growth, and we could turn students away for lack of faculty. CSM does not intend to decrease the number of full-time faculty. These issues and the budget plan are being addressed, but nothing has been set.

Dan Kaplan said district CFO Kathy Blackwood told the last meeting of the District Budget Committee there was no intention of repeating the response to the last budget crisis – slashing 500 sections, laying off 125 instructors. There is talk of incentives to get senior faculty to retire, probably to be replaced with adjuncts. In discussion members conjectured only those planning to retire anyway would be enticed. With retirement accounts way down a high response rate is unlikely.

NEW BUSINESS – CLASS SIZE RESOLUTION Diana distributed the text of §6.08 of District Rules and Regs, on small classes, and a class size resolution proposed by DAS and AFT. Laura Demsetz said any class size changes will go through college curriculum committees and AFT. The question is, how will they know what they are doing? In a few areas class size is contractual. Some programs have a regulatory cap. Sometimes, as in lab courses, there are limits on facilities and resources. There are fire code restrictions. The Committee on Instruction is concerned about being given responsibility for class sizes when it has no particular knowledge in that area, and is asking for guidelines. Stacey Grasso reported faculty on the District Curriculum Committee asked how they can make class size class without guidelines. Canada's course approval paperwork includes class size; ours does not. There is no consistency about online classes. Lots of stakeholders have to be involved.

Dan Kaplan said this is the fourth draft of a joint AFT/Senate class size resolution at the district level. DAS and the AFT executive committee should coordinate on this, and take it to the Board of Trustees as a joint concern. Class size is a collective bargaining issue. There used to be a printed list of enrollment limits for all classes in the district. Now it is available on line. Class limits are affected by fire regulations based on room size, and some are discipline related. Classes in composition, the only discipline encumbered by a lawsuit, are limited to 26 students. There is no system-wide coordination.

Existing enrollment limits and past practice are important considerations. Guidelines need to be discussed, as a side discussion between the senate and AFT when the resolution is worked out. The extra work now will save trouble later. There are no limits for online classes. After trying for eight years to get contract language on online learning, AFT tried in the last negotiation to get language on class size, and did get some language on compensation. At least it was a start. Some online classes are outrageously large. Everyone who has taught online agrees it's twice as much work to teach an online class. The administration thought online classes could be taught on the cheap, but the reality is just the opposite. Online instructors should be paid more. Start discussion of class size limits for regular classes, then go back to online classes. Teresa said the same class size limits should apply to all three colleges.

Laura Demsetz called for including in the resolution establishment of guidelines and who should establish them, maybe a joint committee. Stacey said room size should be based on class size, not vice versa. Rosemary said somebody needs to be in charge, maybe at the DAS level, so this gets resolved. Make it a DAS priority, even over plus/minus grading and the compressed calendar. Otherwise faculty will draw back from online courses. If someone at CSM is always put in large classroom, but at Skyline faculty get small rooms, something is not right. Diana will take it to DAS. Dan said it is timely, in view of the budget crisis. Class size numbers have been changed unilaterally. A member stated a dean at a sister college suggested an adjunct start with a class size about ten students above the maximum, and if that proved too onerous, cut back to about five above the maximum. New instructors don't know the history of class sizes. Put this at the top of the Senate and AFT agendas. Madeleine said it belongs to COI, because it is about course structure. How many students can you reasonably deal with? It is up to the deans to find rooms which meet fire code guidelines. Diana will ask DAS to move this up to top priority, and will ask for discussion of guidelines. She asked members to talk to constituent faculty about this. DAS President Patty Dilko wants to get it moving.

Dan asked anyone who knows of unilateral class size change to contact AFT. It is a grievance, and will be corrected only if brought to the attention of AFT. Diana said deans go by historical class size numbers. President Claire has assured her he has told the deans they can't change those numbers. Class size numbers used to be in a big document in deans' offices. Now they are on SharePoint for some divisions, including Social Science. Diana will bring up with Mike and Susan getting a document, and perhaps looking at Banner. Dan said as of two years ago a big printout went to every division. Diana and some senate reps said as of yesterday, no dean had such a document.

Diana will put this on our agenda for decision. Laura asked whether we need a motion to add to the resolution. Diana said she will take it to DAS. Stacey said if the resolution says COI will address class sizes, the resolution should include an item calling for establishment of guidelines by a joint committee of faculty and administrators. There has to be appropriate representation on that committee.

NEW BUSINESS – INTELLECTUAL PROPERTY RIGHTS Diana said District Academic Senate wants a policy on intellectual property (IP) rights. We have a changing environment which includes online classes. A nice starting point is the AAUP statement on IP rights. Let our faculty know about it.

In response to a concern of Bernard that the AAUP Sample IP Policy and Contract Language could give the district shared ownership of work done by a faculty member on sabbatical, Dan said work done on a sabbatical is the only protected work in place in this district. When AFT was struggling to bring back sabbaticals it raised this issue and the district agreed any creative work done on sabbatical would be owned by the faculty member. AFT couldn't extend such protection beyond that. It has waged a real battle to get good IP language into the contract. The best language in a community college contract is in that of CCSF, which AFT has used in last few rounds of negotiation, but which the district has rejected. The district saw that no one would use the sabbatical program if they didn't own the work they created. There has been no success yet beyond sabbaticals. Get the entire faculty aware of these issues. If faculty with one voice expressed strong desire for language similar to CCSF's, we might make more progress.

Points in discussion: What if the work is done on school time, and/or on a school computer? Faculty computers are writing equipment, like a chalkboard, and are becoming as basic as pencils. By contrast, if a researcher uses the expensive labs of a big university and comes up with something, the university wants it. Our planetarium, perhaps the only unusual physical presence you couldn't create in your own home, is comparable, but what else is? Expensive specialized software like Dreamweaver? Online issues are tricky. The district provides software and training to make modules, so the district has partial claim. People might want their own CD-ROM textbook. Things have been changing. Course management systems and more creative things might be becoming normal, and more ingrained in parts of the faculty. Blackboard and WebCT are used at most universities, and are the ordinary medium for online faculty. Some online instructors have used their own software and their own webpage and email, so they aren't using college resources. What is the IP issue? Do instructors feel a million dollar book opportunity will be taken away from them? Are we wasting our time on this? We don't know what someone might be creating in, say, multimedia or CIS. Someone in horticulture might come up with a valuable plant hybrid. Teresa said we should preempt a fight over the money and go to a sharing process, with language about making arrangements for copyright sharing.

Why are we concerned about it now? Teresa said ten years ago, the issue was looked at very cautiously by administrations in higher education, because of what happened at UC Berkeley. Biologists and geneticists there formed Genentech based on work done at UCB. UCB wanted a share because the work was done in their labs. Over the last ten years, nothing like that has happened in community colleges. District administrations are concluding it is not a big issue. Therefore if good language can be crafted, the resistance of the last several rounds of negotiation would probably be greatly minimized. Teresa's idea could come to pass, but that is not likely. Diana said this is also an issue because of online courses. Can an instructor, full-time or adjunct, who creates an online class here, teach it at another college, or sell online modules to the university of Phoenix? Rosemary suggested getting a committee to come up with a specific senate resolution to take to the district. Dan said the current contract expires in June '09. Faculty should join the AFT negotiating team when discussing IP, to have a unified voice. AFT may discuss negotiations after January. The CCSF language is a good starting point, but we need to start now to craft new language. Diana will take to DAS the idea of a district-wide IP task force. Madeleine said list the problems we have identified so they can be solved.

NEW BUSINESS – BSI COORDINATOR Diana reported the BPC had approved nine units reassigned time for the BSI Coordinator position, but with the budget crisis less may be considered. The position also has six units of state funding. The honors program, SoTL, learning communities, and WAC are also making their cases to BPC to keep their reassigned time. Rosemary asked whether Governing Council should comment on this. SoTL is doing really good things. The honors program could potentially distinguish us. Diana said we would hate to lose any of these. The issue is whether to cut reassigned time and put instructors back in classrooms, or not. Bernard said our situation is a microcosm of what the state and nation are facing. Cuts will be painful wherever they come. It is hard to find a superfluous program, one not doing anything. The English department has had a lot of discussion about not having enough full-time people in the classroom. Several of its full-timers have released time for various things, all worthwhile, but we have to be teaching in the classroom. There are probably not a whole lot of options.

Points in discussion: While the CSUs are cutting enrollments by 10%, we can handle only a 2% increase. We can admit people, but not provide classes for them. We have to set aside for a while some good special programs and services, but if we do, will they ever be resurrected? The SoTL Scholar program just started, and SoTL itself is fairly new. Stopping reassigned time for a program does not necessarily stop the program, but people are tired of being good sports by doing uncompensated work. We might reduce, not eliminate, reassigned time. Every college along 280 except ours has an honors program. We hate to see things that distinguish us go by the wayside. These programs could maintain a presence with fewer reassigned hours. We could decide to keep what is most likely to attract students, with a clear idea the other programs are just on hold – not ended, but shelved. If we do keep reassigned time, we should ask the faculty if they are OK with reassigned time keeping people out of the classroom. Madeleine said

we could hire more part-timers for classroom teaching, but the last time English tried, it couldn't find anyone who met its criteria who wasn't grabbed by other colleges. In English, one or two full-timers teach overloads, but almost everyone has three to six units of reassigned time.

More points in discussion: It is important to keep these programs ongoing. We need to prioritize. SoTL is for faculty, and the honors program is for students. Which should have higher priority? It is important that faculty get together and learn from each other. We don't want that to go away. We'll do a better job teaching, and attract more students. In the immediate future, attracting students won't be the problem. We need people in the classroom to teach them. BPC will meet Monday, Dec. 1. Faculty should email ideas to Diana, so she can report what the faculty feels strongly about. These are contentious issues, and there will be trouble finding consensus. Rosemary suggested an email to all faculty saying these programs are on the table, and asking them to let Diana know their opinions for and against. If no one responds, drop the programs. We are too small a body to make a recommendation. If a decision might be made on Monday, it's only fair to inform faculty the programs might be cut. Some might not care about programs that don't directly affect them. On the other hand, it would be too bad to cut programs and find out later faculty love them. An email would be in the interest of BPC transparency. Diana will send out such an email to get faculty response.

Diana said it is good to poll faculty. Dan said the validity of the polls AFT has done in the past is now being questioned. He got a lacerating email from a faculty member about this, in particular on a 2007 poll on the calendar. The district has 1000 faculty, but we get usually about 100 responses. An email for just CSM gets about 50 responses. It is important to let people know what is being considered. People need to participate, or they will be left out.

NEW BUSINESS – PLUS/MINUS GRADING PILOT DAS has agreed to a three-semester pilot program, Summer 2009 through Spring 2010. Faculty can enter +/- course grades, but students will see only straight letter grades. At the end of the pilot, GPAs will be computed with and without +/- to see whether there is a significant difference. Statistics from other schools show differences are typically only .001. The Board of Trustees must approve the pilot. DAS felt such a pilot was appropriate since one college (Skyline) is adamantly against +/- grades. Patty found some student senates were unclear about +/- grades. With Foothill/DeAnza data and three semesters of our own data, we can decide how to go forward. Diana distributed a copy of Patty Dilko's email, with pilot results from Foothill/DeAnza.

NEW BUSINESS – ALTERNATIVE/COMPRESSED CALENDAR Diana reported members of the calendar task force have been asked to go back to their colleges for department, division, and all-college meetings. Diana held no Governing Council meeting specifically on the calendar, since it would have covered the same ground as CSM's Nov. 21 all-college meeting hosted by Charlene Frontiera, at which Marilyn McBride presented information. A lot of science folks were there, and it was not an altogether happy meeting. On a district-wide AFT survey in May 2007 on whether we should look into a compressed calendar, over 60% of the 110 respondents said yes. We are moving forward with investigating how and whether it would work at CSM. The deans are to set up compressed calendar class schedules, and talk with their faculty. The task force is gathering information from all colleges and will make a yes or no recommendation to the Board of Trustees.

The calendar has to be negotiated by AFT, which would reflect the task force sentiment. When we last looked into it five years ago, the previous chancellor, Joe Johnson, had been interested but the new chancellor, Ron Galatolo, killed it because of the financial crisis at that time. The situation looks different now. Last year Canada expressed renewed interest. Ron would like to know faculty sentiment. The SharePoint link for research materials is <http://sharepoint.smccd.edu/SiteDirectory/edserv/compressed/>

NEW BUSINESS – CURRICULUM MANAGEMENT TOOL At a task force meeting curriculum committee chairs from each college explained how they were doing their curriculum record-keeping, and that it involved enormous amounts of paperwork. In the District Office on Feb. 9, 11, and 17, 2009, three

curriculum management packages will be demonstrated. We will give our recommendation to the task force for their spring 2009 decision on which package to use. Everyone here at CSM – deans, faculty, and administration – wants such a package.

PRESIDENT’S REPORT College Council reviewed committee structure and institutional planning relationships. Several plans (technology, facilities, enrollment management, and human resources) roll into the educational master plan. Program review and division work plans roll into the college work plan, which is related to the annual and long term budgets. Institutional planning funnels up to College Council. Five committees (DIAG, Human Resources, BPC, Enrollment Management, and Technology) are being formed. It has been recommended that each of the five committees have one administrator, two faculty members, a student, and a classified person. Only the BPC is set up now. Members will be assigned to the other committees soon. The chair of each will be on the Institutional Planning Committee. Madeleine pointed out we discussed having a distance education committee at the college level, but there is none. Diana will check on that. Madeleine and Rosemary had expressed interest on serving on it.

District Shared Governance Council is reviewing board policies in district rules and regulations, including section 6.27 on course prerequisites and limitations on enrollment and section 7.35 on academic standards and academic renewal. It also heard a district strategic planning update.

VICE PRESIDENT’S REPORT Eileen reported the most recent scheduled meeting of President’s Council was cancelled, and she did not attend the most recent DEAC meeting because it conflicted with the Nov. 21 compressed calendar meeting.

INFORMATION/ANNOUNCEMENTS Eileen reported on the upcoming **San Mateo County Education Summit**. The original intent was to have one gigantic summit in spring for high school to college bridging. Some said that would be too overwhelming, and there would be too little information to share. CalPass data on how high school students are doing is expected in early spring, after which high schools can have conversations with colleges. Each college should work with its feeder high schools to develop strategies to improve contact and relationships, and find things to bring to a future summit.

For assistance from John Sewart, for example to get information for a PIV committee or program, make your request on the Office of Planning, Research, and Institutional Effectiveness (PRIE) website: <http://www.smccd.net/accounts/csmresearch/UltimateSurvey/takeSurvey.asp?surveyID=197&pageNumber=1>

Diana said there will be budget cuts, and feels we should provide resources for those displaced. DAS President Patty Dilko could put out an announcement about resources available to laid-off part-timers, including unemployment compensation and health care. Diana will discuss this with Mike and Patty.

Ed Remitz, faculty advisor to the *San Matean*, introduced himself as someone involved in PIV with Diana and Marilyn Lawrence who today is making himself available for questions about the *San Matean*. He emphasized he does not edit the paper. People unfamiliar with journalism training do not know how it works. They ask why the paper looks so bad on occasion. Ed made clear he knows the difference. He was a professional journalist for a number of years, including working as a copy editor at the *San Francisco Chronicle*. In journalism training, students are supposed to learn how to do journalism. Faculty are not supposed to interfere. If a teacher edits proactively, the students have lost their first amendment rights, and the teacher will be pressured to intervene on content as well. Ed and his students followed the work of state senator Leland Yee getting legislation passed to protect student journalists from faculty pressure.

Ed said half the campus thinks he edits the newspaper, and the other half thinks he should. Ed does critique the paper for the students. The paper should improve. The students soar, the students do terrible things. Huy Tran said in recent semesters he has heard complaints from students about how the class is

set up, and about the editor. Ed said there is a student hierarchy, and there are personality clashes. If anything goes wrong, the students are responsible for it. The *San Matean* is a real newspaper. It can be sued for libel. If the teacher edits the paper, it makes the teacher and the college liable, and the school can lose lawsuits. If no agent of the school handles the material, the school is not liable. A battle with anti-abortion activists led to their lawyer calling the paper. Ed's students got their own lawyer, and the matter was resolved.

The *San Matean* wins a lot of awards. One student wrote an award-winning column which ran in the *Examiner*. The paper has an editor, a managing editor, a sports editor, photo editor, and page editors every semester. These may shift during the semester. Recently a student took over for an editor who left, and did a great job. Asked why the *San Matean* isn't distributed all over San Mateo, Ed said its town is CSM, and its county is the college district, just as the *San Mateo Daily Journal* is just for San Mateo. By contrast, the CSUEB paper is available all over Hayward. Ed tells students they will do small town journalism, and mostly focus on CSM. Canada has no paper. Ed noted there should be a student from the paper here to cover this meeting.

Ed learned from Venise Wagner, chair of the Journalism department at San Francisco State, that many of their incoming students come in with theoretical training but not practical training. At CSM, students get beats to cover, and are expected to do it well. Ed said he saw five or six cool stories at today's Governing Council meeting that ought to be in the paper. Ed doesn't give his students stories. The students should pick them up on their beats. Bernard said the paper is a public face of the college. Bad spelling, grammar, and logic hurt the public image of the college. Ed said he too is embarrassed about such errors, but the paper is not set up for PR for the school. It is to train young people to be journalists. The program has a good reputation at SFSU and SJSU, and has graduates doing wonderful things.

FUTURE AGENDA ITEMS Diana asked that such items reach her by the Wednesday before a meeting.

ADJOURNMENT The meeting was adjourned at 4:00 pm. The next meeting, the last of the semester, will be Dec. 9, 2008.